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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,752	09/29/2003	Carol Ann Jones	5577-277	1478
46589 7590 01/10/2008 MYERS BIGEL SIBLEY SAJOVEC P.A. PO BOX 37428 RALEIGH, NC 27627			EXAMINER PRICE, NATHAN E	
			ART UNIT	PAPER NUMBER
			2194	
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			01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

mv

Office Action Summary	Application No. 10/673,752	Applicant(s) JONES ET AL.	
	Examiner Nathan Price	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007 and 10 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-12, 14, 15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-12, 14, 15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to communications received 08 January 2007, 09 July 2007, 04 September 2007 and 10 October 2007. Claims 1 - 6, 8 - 12, 14, 15 and 17 - 20 are pending. Previous objections and rejections not included in this Office Action have been withdrawn. This Office Action is intended to clarify the use of the prior art in the rejections. The finality of the last Office Action is withdrawn.

Response to Arguments

2. Applicant's arguments filed 08 January 2007 and 04 September 2007 have been fully considered but they are not persuasive.

3. Regarding amendments to address rejections under 35 U.S.C. 101, although "apparatus" is stated in claims 8 - 12, 14 and 15, it appears that these claims recite only elements that can be implemented in software alone.

4. Regarding claim 1, Chandra teaches presenters define user interfaces [¶ 394, 401] and are used by building blocks to implement a set of actions in a process and building blocks can be used by applications to implement specific task patterns, such as polls and schedules [¶ 291, 294, 315]. Furthermore, the presenters provide templates for how information is presented [¶ 394]. Individual instances of these templates are used to provide a specific user interface.

The converter corresponds to the model adapter as claimed because the converter provides an interface for presenters that are part of applications to use data of Presenter Data Objects (PDO) [¶ 394, 397]. The interface of the converter enables use of specific task patterns, such as polls and schedules [¶ 394].

5. Regarding claims 3, 10 and 19, Applicant argues Chandra fails to teach portlets and references Applicant's specification, which states "Portlets are visible active components users of the portal see within the portal page." (Specification, p. 6 lines 9 – 10). This explanation of portlets provided by Applicant's own specification supports Examiner's position that Chandra teaches portlets as claimed because Chandra teaches a portal including two listing building blocks, which are visible active components [¶ 369]. The building blocks and presenters define the portlets and individual instances are created when the abstract portlets are used in a specific portal. Furthermore, as explained above, the building blocks and presenters can communicate through the use of a converter [¶ 391, 394].

6. Regarding claims 4, 11 and 20, Applicant argues Chandra fails to teach an application portlet builder portlet and portlets. See the above explanation regarding portlets. Additionally, since the portlets can be building blocks [¶ 369], Chandra teaches creating portlet instances with the application builder by using the builder to create instances of building blocks [¶ 443 – 444]. Regarding Applicant's argument that the application builder is used to create transportable applications and not portlets, Chandra

Art Unit: 2194

teaches portals comprising portlets can be transportable applications, which are created using the application builder [¶ 368, 443 – 444].

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 8 – 12, 14 and 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises the question as to whether or not the claims can be implemented in software alone. It appears that the claims do not recite hardware to realize the functionality of the software. Therefore, the claims are rejected as being directed towards non-statutory subject matter because they appear to be claiming software, per se.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2194

8. Claims 1 - 6, 8 - 12, 14, 15 and 17 - 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chandra et al. (US 2002/0138582 A1; hereinafter Chandra).

As to claims 1 - 6, Chandra teaches:

[claim 1] a method of providing a user interface for an application, the method comprising:

identifying a user interface template that implements a task pattern for a model class [¶ 179, 294, 394,399-402];

identifying a model adapter that provides an interface for the application that conforms to the model class [¶ 397, 399-400]; and

creating a user interface for the application from the identified user interface template and the identified model adapter [¶ 294,399-402],

wherein:

[claim 2] the user interface template comprises a generic view and a generic controller [¶ 179, 294, 315, 318, 392, 394, 399-403,405];

[claim 3] the user interface template defines an abstract portlet, and wherein creating a user interface comprises creating a portlet instance that communicates with the application via the model adapter [¶ 179, 294, 368-370, 391, 394, 399-400];

[claim 4] creating a portlet instance comprises configuring the portlet instance using an application portlet builder portlet [¶ 428-432,441-445];

[claim 5] identifying a user interface template, identifying a model adapter and creating a portlet instance are performed using an application portlet builder portlet [¶ 369-371, 399-400, 441-445]; and

Art Unit: 2194

[claim 6] the model adapter provides a business object interface [¶ 329, 397].

As to claims 8 - 12, see the rejections of claims 1 - 4 and 6.

As to claims 14 - 15, see the rejections of claims 1, 3 and 6.

As to claims 17 - 20, see the rejections of claims 1 - 4.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Price whose telephone number is (571) 272-4196. The examiner can normally be reached on 6:00am - 2:30pm, Monday - Friday.

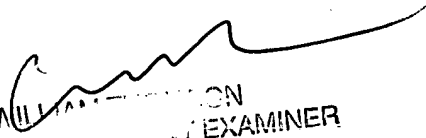
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone

Art Unit: 2194

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NP


WILLIAM J. HESSON
SUPERVISOR, PATENT EXAMINER